

**EOD** AUG 27 1998

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

FILED-CLERK  
U.S. DISTRICT COURT

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TX EASTERN-BEAUMONT

IN RE NORPLANT CONTRACEPTIVE  
PRODUCTS LIABILITY LITIGATION

§  
§  
§

MDL No. 1038

BY

*Beverly Aulbaugh*

ORDER GRANTING DEFENDANTS' MOTION TO DISMISS WITH PREJUDICE FOR  
FAILURE TO ANSWER DEFENDANTS' FIRST SET OF INTERROGATORIES TO  
ALL AND COMPLY WITH DEFENDANTS' FIRST REQUEST FOR  
PRODUCTION OF DOCUMENTS TO ALL PLAINTIFFS

This matter is before the court on Defendants' Motion to Dismiss with Prejudice for Failure to Answer Defendants' First Set of Interrogatories to All and Comply with Defendants' First Request for Production of Documents to All Plaintiffs, filed on June 18, 1998. None of the of sixty-eight plaintiffs named in Defendants' motion filed a response. Therefore, upon consideration of the motion and applicable law, the court is of the opinion that Defendants' motion to dismiss should be GRANTED.<sup>1</sup> It is so ORDERED.

SIGNED this the 20<sup>th</sup> day of August, 1998.

*Richard A. Schell*

RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> See Appendix A for a list of plaintiffs to whom this Order applies.